

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF THE CLAIMS:

1. (Currently Amended) A method implemented by a computing device for real-time dynamic switching between a first service provider providing a first Web-service for users via a program executing at a user's computer device over a communications network in accordance with a service level agreement between a user and said first service provider and a second service provider adapted for providing said a second Web-based service for users at a user's computer device, said method comprising the steps of:

automatically monitoring said ~~communications network~~ first Web-based service for determining compliance of service-level guarantees according to said service level agreement a switching criterion by said first service provider at said user's computer device, said monitoring including accessing internal functioning of ~~[[a]]~~ said first Web-based service that is currently in use; and,

upon determining non-compliance of said service-level guarantees, locating ~~[[a]]~~ said second service provider for providing said second Web service according to said service-level guarantees compatible with needs of said executing program;

maintaining replicating state information associated with said user's use of said service that the program has created in the first Web service provided by said first service provider at said user's computer device;

terminating ~~provision of said service level agreement between said user and~~ provided by said first service provider; and

switching ~~service provision of said second Web service~~ to said user's computer device from said second service provider over said communications network; and,

migrating said state information maintained up to the time of switching to said second Web service provided by said second service provider, said state information including state

information maintained by said first web service provider on behalf of the user, wherein the switching occurs in a manner substantially transparent to the user, wherein said a switching criterion for initiating said switching includes one or more selected from the group comprising: the relative prevalence of advertisements or SPAM, the relative usability of a user interface provided at computer device, the relative cost of the service provided by said second service provider as compared to a cost of the service provided by first service provider, a relative cognitive load of a user, and, a relative security of said service provided by said second service as compared to the service provided by first service provider.

2. (Canceled)

3. (Original) The method of claim 1, further including the steps of:
establishing criterion for determining service fees to be charged by a switching service provider for providing said automatic switching; and,
communicating fee information to said user.

4. (Previously Presented) The method of claim 1, wherein said switching is performed automatically without user knowledge.

5. (Previously Presented) The method of claim 1, wherein said switching is performed at behest of a user or, upon a user providing approval for the switch when a switching criterion is satisfied.

6. (Original) The method of claim 1, wherein said user includes: an individual, or a group of individuals.

7. (Original) The method of claim 1, wherein said service provided to said users over a communications network includes a service provisioning one or more of: text, multimedia content, images, broadcasts, recipes, functions for a computer, and sensory stimulations.

8. (Original) The method of claim 1, wherein the switching includes transfer of service properties.
9. (Currently Amended) The method of claim 1, wherein ~~the first and second services are Web services~~, a service provided by the switching provider ~~including~~ includes a Web service.
10. (Previously Presented) The method of claim 1, where a switching criterion includes one or more selected from the group comprising: said first service provider is unavailable; the service provided by first service provider is degraded.
11. (Previously Presented) The method of claim 1, where a switching criterion is determined based on a result of an auction system for providing said services.
12. (Previously Presented) The method of claim 1, where a switching criterion is determined based on a potential or predicted relative liability for providing said service.
13. (Canceled)
14. (Original) The method of claim 1 where the switching provider comprises one selected from the group comprising: a third party, a provider of the first service, a provider of the second service, a provider of both services, a software agent running on the user's computer, a service provider, a company, the government, a video or image content provider, an audio content provider, an insurance agency, a health care provider, an advertiser, a multimedia broadcaster or cable TV company, a game provider.
15. (Original) The method of claim 1, further including the step of enabling said switching service provider to generate a fee for switching services, said fee being dependent upon any one or more of: nature of information presented, amount of information presented, type of service, number of times switching is used, quality of service, and user satisfaction level.

16. (Original) The method of claim 15, further including the step of determining a user satisfaction level according to biometrics obtained from and concerning the user.

17. (Original) The method of claim 1, where the switching service is provided in a peer-to-peer file sharing system.

18. (Currently Amended) A system for real-time dynamic switching between a first service provider providing a first Web-based service for users via a program executing at a user's computer device over a communications network in accordance with a service level agreement between a user and said first service provider and a second service provider adapted for providing said a second Web-based service for users at a user's computer device, said system comprising:

a computer-implemented means for automatically monitoring said ~~communications network~~ first Web-based service for determining compliance of service-level guarantees according to said service level agreement ~~a switching criterion~~ a switching criterion by said first service provider at said user's computer device, said monitoring means including accessing internal functioning of ~~of~~ [[a]] said first Web-based service that is currently in use; and,

a computer-implemented means responsive to determining non-compliance of said service-level guarantees, for locating ~~[[a]]~~ said second service provider for providing said second Web service according to ~~said service-level guarantees~~ compatible with needs of said executing program, said means

maintaining replicating state information ~~associated with said user's use of said service that the program has created in the first Web service~~ provided by said first service provider at said user's computer device and terminating ~~provision of said service level agreement between said user and provided by~~ said first service provider; and, for switching ~~service provision of said second Web service~~ to said user's computer device from said second service provider over said communications network and migrating said state information maintained up to the time of switching to said service provided by said second service provider, said state information including state information maintained by said first web service provider on behalf of the user,

wherein the switching occurs in a manner substantially transparent to the user; and,
wherein [[the]] a switching criterion for initiating said switching includes one or more selected from the group comprising: the relative prevalence of advertisements or SPAM, the relative usability of a user interface provided at computer device, the relative cost of the service provided by said second service provider as compared to a cost of the service provided by first service provider, a relative cognitive load of a user, and, a relative security of said service provided by said second service as compared to the service provided by first service provider.

19. (Canceled)

20. (Original) The system of claim 18, further comprising:
means for determining service fees to be charged by a switching service provider for providing said automatic switching; and,
means for communicating fee information to said user.

21. (Previously Presented) The system of claim 18, wherein said switching is performed automatically without user knowledge.

22. (Previously Presented) The system of claim 18, wherein said switching is performed at behest of a user or, upon a user providing approval for the switch when a switching criterion is satisfied.

23. (Original) The system of claim 18, wherein said user includes: an individual, or a group of individuals.

24. (Original) The system of claim 18, wherein said service provided to said users over a communications network includes a service for provisioning one or more of: text, multimedia content, images, broadcasts, recipes, functions for a computer, and sensory stimulations.

25. (Original) The system of claim 18, wherein the switching includes transfer of service properties.

26. (Currently Amended) The system of claim 18, wherein ~~the first and second services are Web services~~; a service provided by the switching provider ~~including~~ includes a Web service.

27. (Previously presented) The system of claim 18, where a switching criterion includes one or more selected from the group comprising: said first service provider is unavailable; and, the service provided by first service provider is degraded.

28. (Original) The system of claim 18, wherein the switching provider comprises one selected from the group comprising: a third party, a provider of the first service, a provider of the second service, a provider of both services, a software agent running on the user's computer, a service provider, a company, the government, a video or image content provider, an audio content provider, an insurance agency, a health care provider, an advertiser, a multimedia broadcaster or cable TV company, a game provider.

29. (Original) The system of claim 18, further including the step of enabling said switching service provider to generate a fee for switching services, said fee being dependent upon any one or more of: nature of information presented, amount of information presented, type of service, number of times switching is used, quality of service, and user satisfaction level.

30. (Original) The system of claim 29, further including the step of: means for obtaining biometric information relating to a user satisfaction level, said system including determining a fee for services according to biometrics obtained concerning the user.

31. – 35. (Canceled)